

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
NORTHERN DIVISION

Case No. 1823-CV-1015  
(To be assigned by  
Clerk of District Court)

**COMPLAINT**

I. State the grounds for filing this case in Federal Court (include federal statutes and/or U.S. Constitution provisions, if you know them. Fed .R .Civ. P. 8(a)(1) requires a short and plain statement of the grounds for the court's jurisdiction.):

On June 9, 2022, I was fired from Dakota Bodies, LLC. I was 59 years old at the time. They had other excuses, but I was fired because of my age. About 30 days before I was fired, they wanted to move me from running the overhead hoist to driving truck. The plant manager, Matt Schlat, told me it would be easier on account of my age. I told him I did not want to change jobs and did not have a CDL, and was doing fine at my job. On the day I was fired I was told I was fired for urinating outside the building. I did that, but only because the closest bathroom was 1500 feet away, and I could not always make it at my age. I and other employees had asked for a closer bathroom numerous times.

II. Plaintiff, David Maag resides at

15881 436th Avenue  
(street address)  
Wallace, Clark,  
(city) (county)  
South Dakota, 57272, (605)520-2332  
(state) (zip) (telephone number)

(If more than one plaintiff, provide the same information for each plaintiff below)

---

---

---

---

---

---

---

---

---

---

III. Defendant, Dakota Bodies, LLC resides at, or its business is located at

201 20th Avenue SE  
(street address)  
Watertown, Codington,  
(city) (county)  
South Dakota, 57201, (605)882-1400  
(state) (zip) (telephone number)

(If more than one defendant, provide the same information for each defendant below)

---

---

---

---

---

---

---

---

---

---

---

IV. Statement of claim (State as briefly as possible the facts of your case. Describe how each defendant is involved. You must state exactly what each defendant personally did, or failed to do, which resulted in harm to you. Include also the names of other persons involved, dates, and places. Be as specific as possible. You may use additional paper if necessary):

On June 9, 2022, I was fired from Dakota Bodies, LLC. I was 59 years old at the time. They had other excuses, but I was fired because of my age. About 30 days before I was fired, they wanted to move me from running the overhead hoist to driving truck. The plant manager, Matt Schlat, told me it would be easier on account of my age. I told him I did not want to change jobs and did not have a CDL, and was doing fine at my job. On the day I was fired I was told I was fired for urinating outside the building. I did that, but only because the closest bathroom was 1500 feet away, and I could not always make it at my age. I and other employees had asked for a closer bathroom numerous times.

V. Relief (State briefly and exactly what you want the Court to do for you.)  
I want monetary damages.

VI. MONEY DAMAGES:

A) Do you claim either actual or punitive monetary damages for the acts alleged in this complaint?

YES [x]

NO [ ]

B) If your answer to "A" is YES, state below the amount claimed and the reason[s] you believe you are entitled to recover such monetary damages:

I was out of work for 6 months after being fired. I lost wages of about \$25,000. I should also have liquidated or punitive damages in at least the amount of my lost wages.

---

---

---

VII. Do you maintain that the wrongs alleged in the complaint are continuing to occur at the present time?

YES [ ]

NO [x]

VIII. Are you requesting a Jury Trial?

YES [ ]

NO [x]

I declare under penalty of perjury that the foregoing is true and correct.

Signed this 13 day of Oct., 2023

David Maag  
Oct 13 2023

---

Signature of Plaintiff[s]

David Maag  
PO Box 31  
Wallace SD 57272  
(605) 520-2332



Clerk of Courts US District Court  
US Post Office and Courthouse  
225 S. Pierre Street, Room ~~405~~ 405  
Pierre SD 57501